

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TIMOTHY CRONIN and JOSHUA
FULLERTON,

Plaintiffs,

v.

CHRIS PETERSON, JAMES
PESCHONG, BRIAN JACKSON,
TONYA PETERS, WILLIAM
KOEPEKE, DAREN REYNOLDS, and
CITY OF LINCOLN,

Defendants.

4:17CV3079

ORDER

On August 25, 2017, the defendants filed a Motion to Dismiss (Filing No. [13](#)) the plaintiffs' original Complaint (Filing No. [1](#)) for failure to state a claim. On September 14, 2017, the plaintiffs filed an Unopposed Motion for Leave to Amend Complaint (Filing No. [15](#)). Because the plaintiffs will be granted leave to file an amended complaint, the defendants' Motion to Dismiss the original Complaint will be denied as moot.

Accordingly,

IT IS ORDERED:

1. The plaintiffs' Unopposed Motion for Leave to Amend Complaint (Filing No. [15](#)) is granted, and the plaintiffs shall file their Amended Complaint within 10 days of the date of this order; and
2. The defendants' Motion to Dismiss for Failure to State a Claim (Filing No. [13](#)) is denied as moot.

DATED this 20th day of September, 2017.

BY THE COURT:
s/ *Richard G. Kopf*
Senior United States District Judge